

REMARKS

Claims 1-3, 5-10, 12 and 14-21 are pending. Applicants herewith cancel claims 1, 10 and 21, without prejudice or disclaimer, and add new claim 22. New claim 22 has been added to cover the embodiment canceled from claims 17-19, wherein the animal is a human. With entry of this amendment, claims 2-3, 5-9, 12, 14-20, and 22 are pending for consideration. No new matter is added with the amendment.

Applicants thank Examiner Kifle for the interview with their representative on July 13, 2006.

The Office Action is discussed below:

Claim Rejection under USC § 103

On page 2 of the Office Action, the examiner maintains the rejection of claims 1-3, 5-10, 12, and 14-21 as being obvious over Ohtsuka *et al.* (US 6,372,735) in view of Hancock *et al.* (*Pharma Res.*, Vol. 17, No. 4, 2000). According to the Examiner, Ohtsuka *et al.* teaches the compound of Example 20 (col. 42, line 15 to col. 43 line 34), which differs from the claimed compound by being in crystalline, rather than amorphous form. The Examiner cites Hancock *et al.* for allegedly teaching that amorphous compounds are more soluble than their crystalline counterparts and concludes that one skilled in the art would be motivated to convert crystalline pharmaceuticals into their amorphous counterparts and arrive at the claimed invention.

Applicants respectfully traverse this rejection. In further response, applicants herewith amend the claims by canceling claim 1 and amending claim 2. Claim 2 is now directed to a composition comprising the amorphous compound in combination with methylcellulose and/or hydroxypropylmethylcellulose. This combination suppresses the re-crystallization of the amorphous compound, as described in the specification at page 3, lines 26 to 30 and at page 6, lines 17-34. None of the cited references teach or suggest this combination or the results obtained from such a combination .i.e, the stability of the amorphous nature of the compound. In view of this amendment, applicants respectfully request Examiner Kifle to reconsider and withdraw

the obviousness rejection.

Applicants also have revised claim 20 to be a product by process, pursuant to Examiner Kifle's suggestion during the interview .

During the interview, applicants' representative explained that the claims directed to a pharmaceutical inherently were directed to a product that was stable, *i.e.*, a product that did not revert back to a crystalline form. Accordingly, applicants herewith amend the pharmaceutical claims to recite "in solid form". Support for this amendment can be found in the specification at page 5, where the preparation of pharmaceutical formulations is described.

In view of the above amendment and explanations, applicants respectfully request Examiner Kifle to reconsider and withdraw the rejection for obviousness.

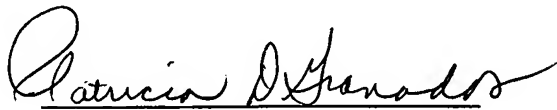
REQUEST

In view of above remarks, applicants respectfully submit that the remaining claims are allowable, and respectfully request favorable consideration to that effect. The Examiner is invited to contact the undersigned at (202) 912-2142 should there be any questions.

Respectfully submitted,

August 7, 2006
Date

HELLER EHRMAN LLP
1717 Rhode Island Avenue, NW
Washington, DC 20036
Phone: (202) 912-2000
Fax: (202) 912-2020
Customer No. 26633


Patricia D. Granados
Reg. No. 33,683